

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

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BYRON MINCEY,  
Plaintiff,

CASE NO. 2:20-cv-03154-CDJ

vs.

TRANS UNION, LLC and  
CITIMORTGAGE, INC.,  
Defendants.

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**PLAINTIFF AND DEFENDANT TRANS UNION, LLC'S  
JOINT RESPONSE TO SHOW CAUSE ORDER**

COMES NOW, Plaintiff Byron Mincey (hereinafter Plaintiff) and Trans Union, LLC (hereinafter Trans Union) to file their memorandum in support for their response to the Court's Show Cause Order, Doc. No. 37.

**MEMORANDUM**

Plaintiff and Trans Union have agreed that this case will be subject to the tolling agreement entered into by Plaintiff and Trans Union, dated April 19, 2021, and agree to dismiss Plaintiff's claims against Trans Union without prejudice, pending the exhaustion of all appeals in the *Bibbs*, *Parke*, and *Samoura* cases, Case Nos. 21-1350, 21-1527 and 21-1530 in the Third Circuit.

CitiMortgage has filed an unopposed motion to extend their time to respond to review the tolling agreement.

WHEREFORE, Plaintiff and Trans Union respectfully request this Honorable Court dismiss Plaintiff's claims against Trans Union without prejudice, with each party to bear its own costs and attorneys' fees.

Dated: June 11, 2021

Respectfully submitted,

/s/Dennis McCarty

Dennis McCarty (pro hac vice)

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*Lead Counsel for Defendant Trans Union, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11th day of June, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorneys on record:

Date Signed this the 11th day of June, 2021

Respectfully submitted,

/s/Dennis McCarty  
Dennis McCarty  
ATTORNEY FOR PLAINTIFF